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*Counsel for Defendants Meta Platforms, Inc. and  
Meta Platforms Technologies, LLC*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

GENTEX CORPORATION and INDIGO  
TECHNOLOGIES, LLC,

Plaintiffs,

THALES VISIONIX, INC.,

Involuntary Plaintiff,

v.

META PLATFORMS, INC. and META  
PLATFORMS TECHNOLOGIES, LLC,

Defendants.

Case No. 4:22-cv-03892-YGR

**JOINT MOTION REGARDING  
CLAIM CONSTRUCTION AND  
DISCOVERY**

1 Pursuant to Federal Rule of Civil Procedure 26(f) and the Notice Setting a Case Management  
2 Conference (Dkt No. 88), the parties to the above-titled action, Plaintiffs Gentex Corporation and  
3 Indigo Technologies, LLC (collectively, “Gentex”), and Defendants Meta Platforms, Inc. and Meta  
4 Platforms Technologies, LLC (collectively, “Meta”) jointly filed a case management conference  
5 statement (Dkt. No. 113) agreeing to certain case management issues and limitations on discovery.

6 On October 18, 2022, the Court entered a Case Management and Pretrial Order (“Scheduling  
7 Order”) (Dkt. No. 116) and directed the parties to submit a Joint Proposed Order regarding  
8 modifications to the parties’ discovery obligations under Fed. R. Civ. P. 26. The Court further set  
9 the *Markman* hearing for December 13, 2022.

10 The parties have conferred and agreed that discovery proceed as stipulated in the parties’  
11 case management statement.

12 The parties have also conferred and reached agreement regarding several claim construction  
13 issues. First, lead counsel for Gentex has a scheduling conflict on the scheduled *Markman* hearing  
14 date. The parties thus jointly move the Court to set the *Markman* hearing to the alternative date of  
15 January 13, 2023 at 9:00 am provided in the Court’s Scheduling Order (Dkt. No. 116 at 1, n.1).

16 Second, the parties have agreed that no technical tutorial is necessary regarding claim  
17 construction, but are available to conduct a tutorial should the Court request one.

18 Third, as explained in the parties’ case management statement (Dkt. No. 113), the parties  
19 fully briefed their claim construction disputes before the case was transferred to this Court and those  
20 disputes remain pending. Prior to transfer, the parties sought resolution regarding the number of  
21 terms for construction from the United States District Court for the Western District of Texas, which  
22 granted leave for the parties to brief a total of 14 terms (1 raised by Gentex and 13 raised by Meta).  
23 On October 21, 2022, pursuant to the Scheduling Order, Gentex served infringement contentions that  
24 narrowed the total number of asserted claims from 136 to 97. This narrowing eliminates asserted  
25 claims associated with two of Meta’s identified disputed terms. Thus, Meta requests leave of this  
26 Court to present its remaining 11 disputed terms for construction, and Gentex similarly requests  
27 leave of this Court to present its 1 disputed term—for a total of 12 disputed terms, as they are  
28 already briefed. Neither party opposes the other’s request.

1 Accordingly, the parties respectfully request the Court to enter the attached proposed order  
2 regarding the parties' foregoing agreements regarding discovery and claim construction.

3  
4 Dated: October 25, 2022

Respectfully submitted,

5 /s/ Adam D. Harber

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19 *Attorneys for Plaintiffs Gentex Corp. and Indigo*  
20 *Technologies, LLC*

21  
22 Dated: October 25, 2022

Respectfully submitted,

23 /s/ Ellisen Shelton Turner

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*Counsel for Defendants Meta Platforms, Inc. and  
Meta Platforms Technologies, LLC*

**SIGNATURE ATTESTATION**

Under Civil L.R. 5-1(h)(3), I attest that all electronic signatories to the foregoing document  
have concurred in this filing.

/s/ Matthew S. Warren  
Matthew S. Warren